

### Remarks

Claims 1-20 are pending in the above-identified application. Claims 1, 8, and 15 are amended, claims 2, 9, 10, 13, 16 and 17 are cancelled, and claims 3-7, 11, 12, 14 and 18-20 are original.

The Examiner rejected claims 2, 9, 16, and 17 under 35 U.S.C. 112. With this amendment Applicant has cancelled claims 2, 9, 16, and 17. Therefore a discussion of this rejection is deemed moot.

The Examiner rejected claims 1-9, 11, 12, and 14-20 under 35 U.S.C. 102(e) as being anticipated by Knowles (U.S. PGPub 2005/0059393).

The following legal requirement is quoted from MPEP 2131 and establishes what is required to sustain a rejection under 35 U.S.C. §102. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

It is well-settled that there is no anticipation unless (1) all the same elements are (2) found in exactly the same situation and (3) are united in the same way to (4) perform the identical function. Since the Office Action's citations to each of the applied references is missing at least one element of each of Applicants' independent claims, Applicants respectfully submit that the claimed invention is not anticipated by the Office Action's citations to the applied references, as further discussed below.

The independent claims have been changed to more clearly define the present invention by inclusion of the following features in each of the independent claims: wherein new mobile

configuration data is updated in the network subscriber database and then downloaded to the mobile station if the configuration data was updated via user interfaces.

On page 7 of the specification it states: "In at least one embodiment these changes to mobile configuration data, regardless of user interface, cause the new mobile configuration data to be updated in the network subscriber database and then be downloaded to the mobile subscriber's handset (mobile station) if the data was updated via user interfaces, such as a conversant voice system or a web-based GUI application over the Internet."

Knowles teaches the following: "In accordance with the teachings described herein, systems and methods are provided for providing demand-based provisioning for a mobile communication device. A provisioning server may be used to receive a provisioning update request from the mobile communication device and in response to the provisioning update request transmit a service update data message to the mobile communication device. The service update data message may include service information for the mobile communication device that is received by the provisioning server from at least one of a plurality of service providers. The mobile communication device may be operable to detect a triggering event and transmit the provisioning update request to the provisioning server in response to the triggering event."

However, Knowles does not disclose or suggest each of the claimed elements of the independent claims as described above. In particular, for example, Knowles does not disclose each of the elements of the independent claims. More specifically Knowles teaches receiving a provisioning update request from the mobile communication device and in response to the provisioning update request transmitting a service update data message to the mobile communication device. Knowles does not teach a system wherein new mobile configuration data

is updated in the network subscriber database and then downloaded to the mobile station if the configuration data was updated via user interfaces. Therefore, Knowles does not anticipate the claims as amended. Therefore, the independent claims are not anticipated by Knowles.

The dependent claims include all the limitations of the respective independent claims upon which they depend, and are therefore also allowable over the cited prior art for the reasons set forth above with respect to independent claims.

Reconsideration and withdrawal of the rejections is therefore respectfully requested. In view of the above remarks, allowance of all claims pending is respectfully requested.

The prior art made of record and not relied upon is considered to be of general interest only. This application is believed to be in condition for allowance, and such action at an early date is earnestly solicited. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicant's attorney.

Respectfully submitted,



John R. Garrett  
Attorney for Applicant  
Reg. No. 27,888

Dated: February 20, 2008

Patti, Hewitt & Arezina LLC  
Customer Number 47382